

**REMARKS AND INTERVIEW SUMMARY**

Applicants have carefully reviewed and considered the Office Action mailed on September 9, 2009 and the references cited therein. Applicants have amended claim 1, 2, 4, 6, 8-10, 13, 17, 18, 20, 22, 23, 25-28, 30, 32, 35-37, 39, 41-43, 45, 46, 48, 51-53, 56, 57 and 60 to address matters of form. No new matter is added by these amendments. Accordingly, claims 1-60 remain pending in the application of which claims 1, 8, 13, 28, 32, 52 and 57 are independent.

A telephone interview was held between the Examiner and Applicants' undersigned representative, Paul Churilla, on December 16, 2009. In that interview, the rejection of each of the independent claims under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,067,300 to Baumert et al (hereafter "Baumert") in view of U.S. Patent 6,021,132 to Muller et al. (hereafter "Muller") was discussed. Agreement was reached that Baumert and Muller, alone or in combination, do not disclose or describe a "single buffer per packet mechanism," as is recited in each of the independent claims.

As was conceded in the Office Action Baumert does not disclose the "single buffer per packet mechanism" recited in each of the independent claims. Muller, however, was cited in the Office Action as disclosing this aspect of the independent claims. As was discussed and on which agreement was reached in the December 16, 2009 interview, Muller does not, in fact, disclose or describe the "single buffer per packet mechanism" recited in the independent claims. Baumert and Muller both disclose approaches where packets are stored in both single and multiple buffers, depending on the particular packet. *See* Baumert, column 5, lines 27-28 and Muller, column 8, lines 52-56.

As was discussed and agreed in the December 16, 2009 interview, Muller does not actually disclose a "single buffer per packet mechanism" as recited in the independent claims. Muller, instead, discloses an approach where data from different packets is not stored in the same buffer. *See* Muller, column 8, lines 60-64. Thus, Muller discloses an approach that prevents mixing of data from more than one packet in any given buffer. Muller does not disclose or describe the "single buffer per packet mechanism" recited in the independent claims.

Applicants further note that Baumert and Muller, because they disclose approaches that store individual packets across multiple buffers, both those patents teach away from the subject matter of the independent claims, as approaches that store single packets in multiple buffers

cannot disclose an approach that includes a “single buffer per packet mechanism,” as recited in each of the independent claims of the Application.

Based on the foregoing, the rejections of the independent claims are improper and should be withdrawn. Further, by virtue of claim dependency, the dependent claims of the Application are also patentable on at least the same basis as their respective independent claims. Applicants also respectfully submit that the claims of the Application are also patentable on other grounds than those discussed in the December 16, 2009 interview and Applicant reserves the right to further address the rejections set forth in the Office Action if the art of record is used in rejecting the claims of the Application in a future Office Action.

Conclusion

Applicant believes that all the claims pending in the application are in condition for allowance. The Examiner may telephone Applicant’s attorney (360-930-3533) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-3521.

Respectfully submitted,

Brake Hughes Bellermann LLP

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